

1 AN ACT concerning insurance.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Managed Care Reform and Patient Rights  
5 Act is amended by changing Section 30 as follows:

6 (215 ILCS 134/30)

7 Sec. 30. Prohibitions.

8 (a) No health care plan or its subcontractors may  
9 prohibit or discourage health care providers by contract or  
10 policy from discussing any health care services and health  
11 care providers, utilization review and quality assurance  
12 policies, terms and conditions of plans and plan policy with  
13 enrollees, prospective enrollees, providers, or the public.

14 (b) No health care plan by contract, written policy, or  
15 procedure may permit or allow an individual or entity to  
16 dispense a different drug in place of the drug or brand of  
17 drug ordered or prescribed without the express permission of  
18 the person ordering or prescribing the drug, except as  
19 provided under Section 3.14 of the Illinois Food, Drug and  
20 Cosmetic Act.

21 (c) No health care plan or its subcontractors may by  
22 contract, written policy, procedure, or otherwise mandate or  
23 require an enrollee to substitute his or her participating  
24 primary care physician under the plan during inpatient  
25 hospitalization without the agreement of that enrollee's  
26 participating primary care physician. All health care plans  
27 shall inform prospective enrollees and enrollees of any  
28 policies, recommendations, or guidelines concerning the  
29 substitution of the enrollee's primary care physician when  
30 hospitalization is necessary in the manner set forth in  
31 subsections (d) and (e) of Section 15.

1           (d) ~~(e)~~ Any violation of this Section shall be subject  
2 to the penalties under this Act.

3 (Source: P.A. 91-617, eff. 1-1-00.)

4           Section 10. The Illinois Insurance Code is amended by  
5 changing Sections 155.36, 370s, and 511.118 as follows:

6           (215 ILCS 5/155.36)

7           Sec. 155.36. Managed Care Reform and Patient Rights Act.  
8 Insurance companies that transact the kinds of insurance  
9 authorized under Class 1(b) or Class 2(a) of Section 4 of  
10 this Code shall comply with Sections 30 and Section 85 and  
11 the definition of the term "emergency medical condition" in  
12 Section 10 of the Managed Care Reform and Patient Rights Act.

13 (Source: P.A. 91-617, eff. 1-1-00.)

14           (215 ILCS 5/370s)

15           Sec. 370s. Managed Care Reform and Patient Rights Act.  
16 All administrators shall comply with Sections 30, 55, and 85  
17 of the Managed Care Reform and Patient Rights Act.

18 (Source: P.A. 91-617, eff. 1-1-00.)

19           (215 ILCS 5/511.118)

20           Sec. 511.118. Managed Care Reform and Patient Rights  
21 Act. All administrators are subject to the provisions of  
22 Sections 30, 55, and 85 of the Managed Care Reform and  
23 Patient Rights Act.

24 (Source: P.A. 91-617, eff. 1-1-00.)